

MEMORANDUM

To: Wayland Planning Board

From: Tamposi Brothers I, LLC

Date: August 11, 2020

Re: 105 Plain Road/Emmeline Path– Conservation Cluster Development Special Permit-Site Plan Application - Response to Municipal Comments

Tamposi Brothers I, LLC (“Tamposi”) offers the following responses to three (3) written municipal comment letters provided to it as of the above date.

A. WAYLAND PLANNING DEPARTMENT STAFF REPORT DATED JULY 23, 2020.

1. “Staff does not find that the proposed plan meets the harmony and purpose of the Conservation Cluster Development.”

Response: Tamposi strongly believes that the proposed development meets the intent, harmony, and purpose of the Conservation Cluster bylaw because it minimizes disturbance, preserves the historic antique home, reduces cutting and clearing, reduces impervious surface, promotes the more efficient use of land, reduces burdens on the Town, promotes the public interest, and provides valuable dedicated open space. Tamposi has also submitted two letters of support for the proposed Conservation Cluster from abutters, demonstrating neighbors’ preference for the proposed cluster development.

2. “The amount and kind of open space proposed” is not in character

Response: The proposed Open Land is more than the 35% tract minimum required by 1803.1.7. The proposed Open Land comprises the rear portion of the lot at 105 Plain Road, which is specifically identified in Wayland’s 2016 Open Space and Recreation Plan as a target area for obtaining a conservation restriction or easement (See Figure 8, Action Plan Map in 2016 Open Space and Recreation Plan, with the rear of 105 Plain Road identified as part of area G20). Furthermore, the proposed Open Land from this Conservation Cluster would connect with over 20 acres of Town-owned land on either side of the Rail Trail. The proposed Open Land is valuable open space and upland wildlife habitat previously identified by the Town of Wayland as a target for preservation; it contains many large, mature trees, which would not be preserved if the property were developed conventionally. Tamposi does not agree with Staff’s comment that the “amount and kind of open space proposed” is not in character.

3. “The number of units is not in character with the most restrictive zoning in Wayland. The

proposed development is going to present a noticeably different appearance in a neighborhood with standard lots and will upset the neighborhood rhythm for the spacing of homes driveways and parking.”

Response: The number of units shown in the proposed Conservation Cluster is 4, which is in compliance with the maximum number of units allowed under 1803.1.3. This is the same number of building lots which could be created on the tract under a conventional subdivision without a special permit.

The tract density of 4 units on 5.5 acres is in character with the surrounding neighborhood. The lot sizes in the cluster range from 32,758 sf to 51,602 sf. The proposed development is located within 300 feet of two other Conservation Cluster developments (Hidden Springs and 104-106 Plain Road) that contain building lot sizes ranging from approximately 30,000 sf to 50,000 sf. The nearby Lingley Lane subdivision contains house lots ranging from approximately 30,000 sf to 56,000 sf. There are several other common driveways in the nearby area as well, including 6, 10, and 14 Draper Road, 104-106 Plain Road, and 4-6 Fields Lane (see attached Exhibit “Neighborhood Context” for more detail).

The majority of the tract is located within the R40 Residence District, which is not the most restrictive zoning in Wayland. The only portion of the tract in the R60 Residence District is located along the Plain Road frontage and mostly consists of the existing house lot (Lot 1). Lot 1 is proposed to contain 51,602 square feet, which is larger than every building lot in the Hidden Springs Conservation Cluster (which is also split-zoned R40 and R60) and larger than every building lot in the 104-106 Plain Road Conservation Cluster directly across the street (which is entirely in the R60).

The design of the Conservation Cluster will preserve most of the existing street view from Plain Road and maintain the neighborhood rhythm by preserving the existing antique house at 105 Plain Road. The three new house lots will be tucked back on the property behind the existing house and will not be visible from Plain Road. The Conservation Cluster utilizes an existing gravel path and break in the stone wall as the location for the common driveway, which would result in less disturbance than a new subdivision road.

4. Staff does not agree that the proposed subdivision plan that was submitted could be built without significant waivers.

Response: Tamposi and the project engineer are not aware of any waivers that would be required to build the conventional subdivision plan submitted. Tamposi would ask that Staff please identify which “significant waivers” it believes would be necessary to build said plan.

5. Staff supports the use of the Conservation Cluster bylaw if the plan can be amended to

meet the stated objectives of cluster zoning such as open space, neighborhood character and public interest.

Response: Tamposi believes the proposed plan overwhelmingly meets the stated objectives of cluster zoning. Tamposi would be happy to consider additional specific feedback regarding the plan and make reasonable modifications to further the purposes of the bylaw. Tamposi would welcome Staff support of the proposed Conservation Cluster because the current plan minimizes disturbance, preserves the historic antique home, reduces cutting and clearing, reduces impervious surface, promotes the more efficient use of land, reduces burdens on the Town, promotes the public interest, and provides valuable dedicated open space.

B. WAYLAND DEPARTMENT OF PUBLIC WORKS MEMORANDUM DATED JULY 30, 2020.

6. WATER. “The current water system has adequate capacity, but it is not known if the local piping system would be impacted by the additional demands on the system...The proponent shall coordinate with the Water Department to conduct the necessary testing to ensure the local piping network is adequate to serve the proposed development”

Response: The additional impact on the water system from three new single-family homes (as Lot 1 is already existing) is unlikely to cause any issues. Prior to issuance of any approvals for water connection, Tamposi and the project engineer will coordinate with the Water Department to determine proper sizing and details for the water infrastructure and conduct any testing deemed necessary.

7. DRAINAGE. “It appears the common driveway will be managed by an infiltration system and a rain garden at the entrance to the project...The DPW is concerned that the details related to the rain garden that without frequent maintenance will potentially allow runoff to be directed to Plain Road.”

Response: The conservation cluster will comply with local and state stormwater regulations. Maintenance of the stormwater system will be the responsibility of the Homeowner’s Association. The project is designed such that stormwater will not be discharged into the existing system on Plain Road, and the project engineer will coordinate as needed with the DPW to ensure compliance.

8. SCENIC ROAD. “The DPW will require specific written notification from the Planning Board prior to issuance of any permits related to activities within the limits of the Scenic Road.”

Response: Tamposi previously submitted a request for Scenic Road Approval to the Planning Board and will resubmit separately to ensure such request conforms with Article IV Chapter 158. The project is designed to minimize impacts on the Scenic

Road by reusing the existing cut in the stone wall for the location of the common driveway and minimizing cutting of trees within the right of way.

9. COMMON DRIVEWAY. “The plans provide some indication that an Access, Egress, and Utility Easement will be placed over the private driveway, utilities, and shared stormwater management systems. The line work on the plan only indicates the eastern limit of the easement. A revised plan clearly depicting all limits of the easement should be provided.”

Response: The project engineer will depict the access, egress, and utility easement more clearly on final plans.

10. PERMITS. “The DPW notes that the proponent will require several permits from the DPW in order to construct the project.”

Response: The project will obtain all required permits needed prior to construction.

C. WAYLAND CONSERVATION DEPARTMENT MEMORANDUM DATED AUGUST 4, 2020.

11. “Chapter 301 states that the purpose of the bylaw is promoting the more efficient use of land in harmony with its natural features. The placement of three additional house lots on a heavily wooded parcel, would not be consistent with this statement or in harmony with the surrounding house lots in both size and natural features.”

Response: The purpose of the conservation cluster bylaw is a more efficient use of land in harmony with its natural features. The standard of comparison for “more efficient” needs to consider a conservation cluster versus a conventional subdivision development, which is protected under the Subdivision Control Law. The comparison is not a conservation cluster versus “no development.” The proposed conservation cluster is a more efficient use of land in harmony with the natural features of the parcel than a conventional subdivision. A conventional subdivision would require demolishing the existing antique home, clearing substantially more trees, installing a larger and longer subdivision roadway with more impervious surface, creating a larger new curb cut and break in the stone wall along Plain Road, and would not create any permanently protected Open Land.

The tract density of 4 units on 5.5 acres is in character with the surrounding neighborhood. The lot sizes in the cluster range from 32,758 sf to 51,602 sf. The proposed development is located within 300 feet of two other Conservation Cluster developments (Hidden Springs and 104-106 Plain Road) that contain building lot sizes ranging from approximately 30,000 sf to 50,000 sf. The nearby Lingley Lane subdivision also contains house lots ranging from approximately 30,000 sf to 56,000 sf.

12. “The developer asked for a waiver from providing a plan indicating the trees greater than 10-inch caliper. The Planning Board should request this so they have an understanding of the amount of tree removal required.”

Response: The proposed conservation cluster plan does not contemplate any work within the proposed Open Land, which is where many of the large trees are located. The request to survey each of these trees on the entire parcel would be an inefficient use of resources. Tamposi believes the Planning Board will have a better understanding of tree removal/preservation after a site walk without the need for additional plans. Furthermore, this waiver is consistent with waivers historically granted by the Planning Board for other subdivisions and conservation clusters.

13. “The open space parcel shall be at least 35% of the land area of the tract, exclusive of land set aside for road and drainage areas. The parcel of open space is 35.08% of the land area of the tract, and the total land area does not subtract for roads of drainage areas. It appears the open space is less than 35% of the total land area.”

Response: The project engineer advises that subtracting the areas of roads and drainage areas from the total tract area would increase the percentage of open land provided.

14. “The plan shows the access to the open space on the west side of the parcel and is 15-feet wide at its narrowest section. This section is heavily wooded and too narrow for conservation staff to access using vehicles or equipment. Would public access be allowed on the open space? How would a public access trail be maintained?”

Response: Tamposi would like to discuss this issue in more detail, but would be willing to consider providing access to the Open Land either from the rail trail or via an easement over the common driveway or one or more of the lots within the cluster. Alternatively, Tamposi would be willing to consider making upgrades to an existing nearby rail trail access such as at Plainview Road.

15. PERMITS. “The applicant will need to file a Chapter 193 permit application with the Conservation Commission...The applicant will also need approval from the Conservation Commission before removing any trees. Has a site visit been scheduled? The Conservation Commission would appreciate the opportunity to view the site”

Response: The project will obtain all required permits and approvals needed prior to construction and clearing activities. Tamposi would consider coordinating a site visit with the Conservation Commission at the appropriate time.

EXHIBIT A NEIGHBORHOOD CONTEXT

Sizes of nearby lots (all approximate based on GIS data):

- Proposed Emmeline Path Cluster:
 - Lot 1: 51,602 sf
 - Lot 2: 32,758 sf
 - Lot 3: 34,719 sf
 - Lot 4: 36,276 sf

- Hidden Springs Cluster:
 - 6 Hidden Springs: 33,262 sf
 - 7 Hidden Springs: 30,492 sf
 - 14 Hidden Springs: 30,274 sf
 - 15 Hidden Springs: 30,827 sf
 - 21 Hidden Springs: 40,510 sf
 - 22 Hidden Springs: 30,404 sf
 - 25 Hidden Springs: 46,609 sf
 - 26 Hidden Springs: 43,560 sf

- 104-106 Plain Road Cluster:
 - 104 Plain Road: 42,253 sf
 - 106 Plain Road: 50,529 sf

- Lingley Lane Subdivision:
 - 4 Lingley Lane: 30,082 sf
 - 6 Lingley Lane: 31,337 sf
 - 7 Lingley Lane: 56,018 sf
 - 8 Lingley Lane: 30,330 sf
 - 10 Lingley Lane: 47,785 sf

Examples of Common Driveways with 3 or more lots in Wayland:

- 71-83 Moore Road
 - 4 Lots accessed off a common driveway

- 4, 5, and 6 Fields Lane
 - 3 Lots accessed off a common driveway

- 6, 10, and 14 Draper Road
 - 3 Lots accessed off a common driveway

- 221-231 Concord Road
 - 5 Lots accessed off a common driveway

- 52-60 Rice Road
 - 3 Lots accessed off a common driveway
- 184, 188, 192 Cochituate Road
 - 3 Lots accessed off a common driveway
- 70-74 Moore Road
 - 2 Lots accessed off a common driveway (and Planning Board designed the driveway contemplating that Lot 1 may access the common driveway in the future)